

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARRETT MOFFETT,

Plaintiff,

-against-

RICHARD BROWN and BRUCE S. FRANK,

Defendants.
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An opinion and order of the Honorable Allyn R. Ross, United States District Judge, having been filed on October 6, 1998, granting the defendant's motion to dismiss pursuant to Fed. R. Civ. P. 25(a)(1) on the grounds that plaintiff died on December 19, 1997 and with no motion of substitution filed within ninety days after the defendants filed and served a Suggestion of Death; it is

ORDERED and ADJUDGED that the defendants' motion to dismiss the case pursuant to Fed. R. Civ. P. 25(a)(1) is granted.

Dated: Brooklyn, New York
October 8, 1998

ROBERT C. HEINEMANN
Clerk of Court

By:


JAMES GOKAS
Chief Deputy Clerk

FILED *Q/m*
IN CLERKS OFFICE
U.S. DISTRICT COURT ED. N.Y.:
★ OCT 9 1998 ★
P.M. _____
TIME A.M. _____
JUDGMENT
95-CV-1332 (ARR)